



Indiana Judicial Nominating Commission

30 South Meridian Street, Suite 500
Indianapolis, IN 46204
(317) 232-4706

Application for the Indiana Supreme Court

The application for the Spring 2016 vacancy on the Indiana Supreme Court includes two parts. Both Part One and Part Two must be completed. Part Two *must* be provided separately as directed in the instructions. Answers in Part One and Part Two are a matter of public record and will be supplied to the media and public upon request. However, only answers in Part One may be posted online by the Indiana Judicial Nominating Commission.

Part One, Sections 1-11

1. Contact/General Information

A. Full legal name and any former names.

Bryce Douglass Owens

B. State the full name (use initials for minor children), age, and relationship of each person residing in your household. For each adult living in the household (other than yourself), also state the person's occupation and employer.

Steffanie Lynn Owens, age 52, wife, Madison County Commissioner.

C. Business address, email, and telephone number.

119 N Pendleton Ave, Pendleton IN 46064, office@owensandowens.biz, 765-778-3320.

D. Attorney number.

10424-48

E. Month and year you were admitted to the Indiana Bar.

June 1985.

a. Indicate current law license status, i.e. active/inactive/retired.

Active

- b. If you are or have been a member of the Bar of any other state, identify the jurisdiction and provide date(s) of admission and current license status. N.A.

F. Date and place of birth.

Bedford, Indiana, September 21, 1959.

G. County of current residence and date you first became a resident.

Madison County, September 1959.

2. Secondary Education/Military Experience

- A. List all undergraduate colleges and universities you attended. Include the school name; dates enrolled; degree or certificate earned; and any academic honors, awards, or scholarships you received and when.

Vanderbilt University, 1978-1982, B.A. cum laude, I had a Navy ROTC scholarship from 1978-1980.

- B. Include with your original application a certified transcript from each school named in Subsection 2A, and attach copies of each transcript to each application copy. (If your social security number is on your transcripts, redact it *before* copying.) Attached.

- C. If applicable, list any military service. Include the name of the military branch; dates of service; last rank achieved; and any honors, awards, or commendations received and when. Attach a copy of your Certificate of Release or Discharge from active duty ("DD 214" paperwork).

United States Navy, 1978-1980, Midshipmen, no DD 214 issued.

3. Post-Secondary Education

- A. List all law schools, graduate schools, and post-J.D. programs attended. Include the school name; dates enrolled; degree or certificate earned; class rank; and any academic honors, awards, or scholarships you received and when.

Indiana University School of Law, 1982-1985, Doctor of Jurisprudence, rank unknown, graduated cum laude May 4, 1985.

- B. Include with your original application a certified transcript from each school named in Subsection 3A, and attach copies of each transcript to each application copy. (If your social security number is on your transcripts, redact it *before* copying.) Attached.

4. Employment

- A. Provide your employment history since graduation from college. Include name of employer, titles or positions, locations, and dates of employment.

1. I worked part-time while in Law School for an attorney in Spencer Indiana 1983-1985.
2. I worked as a Law Clerk to the Honorable Robert K. Rodibaugh, United States Bankruptcy Court, Northern District of Indiana, in South Bend Indiana, 1985-1986.
3. I was Vice President and Counsel to Madison County Abstract & Title Corp. from 1986-2000. We had offices in Bartholomew, Hancock, Henry, Johnson, Madison and Marion Counties.
4. I have been an attorney in private practice with my office in Pendleton, IN since 1986.
5. I was a Deputy Prosecuting Attorney in Madison County Indiana assigned to the Juvenile Court from 2011-2015.

- B. If applicable, describe the nature and extent of your practice of law (present and former), and provide the names of your partners, associates, office mates, and employers.

I have been in private practice since 1986 in Pendleton, IN, and had the pleasure of working beside my father, G. Douglass Owens, until he stopped practicing in May 2014. I am now a sole practitioner and have worked in many different areas of the law over the years. Always looking for a good challenge, I will often ask other attorneys what interesting issues they have for the personal enjoyment of helping others with hard cases. Looking to the literary logic of Sherlock Holmes, I like to think that others find me a pragmatic problem solver. I also like to think that I am known for being hard working, fair, diligent and accurate.

Over the years I have found the opportunity to practice in nearly every area of the law. The breadth of that experience can be considered unusual today. My areas of concentration include business, real estate, probate, juvenile law and bankruptcy matters. I also have a great depth of experience in criminal law, including several jury trials.

5. Trial/Judicial Experience

- A. Describe the extent of your jury trial experience, if any.

I have defended criminal jury trials, including up to attempted murder. I have also done several civil jury trials.

- B. Describe the extent of your bench trial experience, if any.

I have tried hundreds of bench trials. My recent service in the Juvenile Court included presenting up to five trials a week, most weeks for five years.

- C. If applicable, describe the nature and extent of your judicial experience (including as a judge *pro tempore*). Include a description of your experience presiding over jury trials, if any.

I have served as judge pro tempore on an occasional basis. I have not presided over a jury trial.

6. Professional Experience

Include as writing samples, four selections (in total) from the written materials listed below in Subsections 6A – 6C.

- A. If applicable, list up to five trial or appellate briefs and/or judicial opinions you have written. Refer to them by caption, case number, and filing date.

1. Allstate Insurance Company v. Kristi S. Walton (and others) 1:03-CV-0188-JDT-WTL, Answer Brief of Thompson In Support of Objection to Allstate's Motion for Summary Judgment, March 9, 2004.
2. In Re: Mundell, Case No. 08-00402-JCK-13, Brief of Debtor, January 12, 2010.
3. Reynolds v. Branham, Case No. 33A01-0401-CV-13, Appellant's Brief, January 27, 2004.
4. State v. Colvin, Case No. 29D03-9805-CP-141, Motion to Suppress, July 20, 1998.
5. Goulding v. Dulworth, Case No. 48A04-0504-CV-00228, Appellant's Brief in Response to Petition to Transfer, January 6, 2006.

- B. If applicable, list up to five legislative drafts or court rules you have written or to which you contributed significantly. Refer to them by official citation, date, and subject matter.

None

- C. If applicable, list up to five of your contributions to legal journals or other legal publications. Provide titles, official citations, and a brief description of the subject matter.

None

- D. Identify the five most significant legal matters entrusted to you, whether as a judge or lawyer, and describe why you believe them to be so.

1. I was lucky enough to be involved with the establishment of our local community foundation, and have volunteered for more than 20 years in Pendleton and the surrounding communities. The

service of the foundation is a critical part of the fabric of our community. It is a vehicle for inspiring service, and funds good works throughout the area. I have also helped grow the endowment by educating and informing clients about the foundation and its work. I feel my service has been important, both from the legal matters in the beginning and helping increase the foundation's visibility in the community.

2. I was a part owner of a title insurance agency for about 15 years. We had offices in six counties and employed more than 50 people at one time. Our gross revenue reached more than a million dollars and had the responsibility of many more millions of dollars of transactions at any given time. I oversaw compliance issues with a constantly changing regulatory environment, as well as challenging legal issues with real estate. I personally had the lead responsibility on many personnel issues and tax-free real estate exchanges.
3. I represented pro-bono a special-education teacher in Indianapolis who had been terminated inappropriately. The teacher was approached after school was out by a student who was distraught. Someone had been taken to the hospital, the student had missed the bus and no family member could be reached. The school had no policy that had been effectively shared with its staff on how to help the student, so the teacher took the student home. The school fired her for transporting the student in a private vehicle, even though the policy had not been covered with staff in any meetings. I appeared before the Board and argued that the policy, while well intentioned, was too broad and did not contemplate the events of life as they occur. The Board ultimately reinstated the teacher following my involvement. I felt this was a situation that was important to both the teacher, who was the sole provider for her family, and to the Board in the general application. The Board needed to consider useful tools for the teachers to be able to solve situations like this.
4. I represented a farmer on an interesting fixture case. The farmer had bought land after a foreclosure, and shortly after that a creditor sold the personal property that was subject to a security interest on the farm. There was a wheeled pump that the creditor sold that we contended was part of the real estate. I argued that the pump was similar to a garage door opener remote, as garage door remotes are accepted as part of the opener even though the connection is wireless. I lost at trial but won on appeal. I was told later that the case became the subject of an Indiana Bar Exam question. The case was important because it solved not only the issue at hand but also provided guidance to avoid similar problems in the future.

5. I have recently worked on the intriguing issue of School Resource Officers. My work as a Deputy Prosecutor in the Juvenile Court presented the recurring issue of situations in a school setting where the SRO has enforcement authority concerning school rules and safety which conflict with the student's constitutional rights in situations which might be criminal in nature. These SRO's are typically in police uniform, wearing a badge and carrying gun. Officers cannot interrogate or search students as part of a criminal investigation without complying with various rules. School personnel can do many of these things without complying with the same rules. This is very important. We must have safe schools, and we must protect the constitutional rights of the students. There is no clear answer yet, but I am still working to find a solution that appropriately balances these competing interests.

7. Efforts to Improve the Legal System, Administration of Justice, or Society

- A. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) toward the improvement of the law, the legal system, or the administration of justice. Include a description of any management or leadership roles you undertook to achieve these goals, and describe any specific instances in which your collaborative efforts helped achieve these goals.

I have been very involved for the past two years with the Juvenile Detention Alternatives Initiative (JDAI). I attended a multi-day training in July 2014, and took that training back to our county. The workshop allowed me to speak with law enforcement on these initiatives, and I have continued to be involved since that time. I also volunteered on a subcommittee which drafted a Detention Risk Assessment Instrument (DRAI) for children who are arrested and may be detained under the authorization of an on-call probation officer. These children, unlike similarly situated adults, have no right to bail. They can be placed in a Secure Detention Unit (SDU) which is jail-like. They are separated from their family, school, peers, jobs and lives. Studies have shown that being placed in a SDU has a very high correlation with extremely negative future behavior. The JDAI theory is simple; if you detain the right kids in the right place for the right time, you can protect community safety and reduce the over-detention of other children. The use of the DRAI helps to standardize these decisions and hopefully reduces unnecessary negative outcomes.

I also wrote a presentation concerning the juvenile code that was used in local law enforcement training. I also spoke to several officers as part of an additional training that was provided in the Juvenile Detention Alternatives Initiative program.

Children are the future. We owe it to them to hold them accountable while trying to avoid, as much as possible, situations that we have learned can have such negative outcomes. We do not want to have low-level offenders being taught to become high-level offenders during their incarceration.

- B. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) concerning civic, political, or social issues. Include a description of any management or leadership roles you undertook in this area, and describe any specific instances in which your collaborative efforts in this area led to a successful result.

None

- C. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) to improve your local, state, or national community through charitable work or public service. Include a description of any management or leadership roles you undertook in this area, and describe any specific instances in which your collaborative efforts in this area led to a successful result.

1. I started a program and lead a series of outings for disadvantaged youth. The program was funded through Charlie's Fund for Children at the South Madison Community Foundation. I helped arrange transportation and took a large group of kids and their families to the Symphony on the Prairie, a production at the Indianapolis Repertory Theater and also to an Indians game, where the children were given the opportunity to go on the field with the players during the national anthem.
2. I volunteered as the only attorney member of a committee chaired by the principal of Anderson High School on anti-bullying. The committee included a diverse group of students, parents, mental health professionals, school personnel and representatives from the faith community. During discussions, the group discovered many victims of bullying, like victims of domestic violence, do not report it themselves. That information helped draft a policy, later adopted by the school board, that was designed to raise awareness of the bullying problem and to encourage people who were aware of it to alert the school immediately.
3. I have been a member for about 30 years and am also a past President of the Pendleton Lions Club. The Lions Club is one of the most active service clubs in our community.
4. I am presently President of the Madison County Chapter of the Indiana University Alumni Association. We advocate on behalf of the University to raise awareness and support of the college we love.
5. I have served as Precinct Committeeman for many years. I have also served as the township chairman for two townships, including Fall Creek and Adams Townships, for the past several years. My responsibilities include recruiting citizens to serve on Election Day and also helping the candidates with several tasks.

D. Describe the nature and extent of any *pro bono* legal services you have contributed.

1. I am associated with District 6 Access to Justice. I have taken referrals and have volunteered on "Talk to an Attorney Day," which was hosted Anderson, IN.
2. I have taken cases from time to time where I thought the client needed counsel but could not afford it. These clients were not necessarily under the poverty line but would have had a hardship to pay for the help they needed.

E. Indicate your experience teaching law. Provide the dates, names of institutions or programs, and a description of the subject matter taught.

None.

8. Memberships and Other Activities

A. List any memberships and offices you have held in professional organizations, including dates and descriptions of the purposes of the organizations and of your involvement.

I am a member of the Madison County and Indiana State Bar Associations from about 1986.

B. List any memberships and offices you have held in civic, charitable, or service organizations, including dates and descriptions of the purposes of the organizations and of your involvement.

1. Pendleton Lions Club, this is the local branch of the largest service organization in the world. I have served as President and been a member since 1986.
2. I have been a member of the Indiana University Alumni Association for almost two decades. I have been President of the local chapter for around 3 years.
3. I am a life member of the Appalachian Trail Conservancy, which advocates and protects the Appalachian Trail.
4. I was a member of the Repertory Society in Indianapolis, which provides financial assistance to the dramatic arts.
5. I was a member of the 1820 Society at Indiana University, which is given as special recognition to those to make significant financial contributions.

- C. List any memberships you hold in social clubs or organizations. If any restrict its membership on the basis of race, sex, religion, or national origin, please describe your efforts within the organization to eliminate restrictions.

I am a member, through my wife, of the Columbia Club in Indianapolis. It has no such restrictions.

- D. Describe your hobbies and other leisure activities.

1. I live on a small farm, where my family and I raise llama and alpacas. Over the years, I have found that working with my hands is a nice contrast to the demands of the law. I am currently building a large treehouse for the enjoyment of our four grandchildren.
2. I love to travel. I have been fortunate enough to see many places and do many things around the world. My father, who always said he drove an older car so he could free up funds to experience interesting places, was the catalyst of my wanderlust. One of the best trips I can remember was where I captained a narrowboat with my family and we spent two weeks cruising the canals in the English midlands. My wife and I also recently traveled to Peru, giving us the opportunity to embrace a different culture.
3. Backpacking on the Appalachian Trail has also been a longtime passion of mine. I have completed more than 500 miles and plan to continue my hike as early as July.
4. In my spare time I also brew small batches of craft-beer and have even been known to call myself a vintner, after creating hundreds of bottles of different varieties of wines.
5. Following in the steps of my grandmother, who shared stories of meeting Amelia Earhart, and my father, I am a third-generation licensed pilot.

9. Legal Proceedings

- A. List any lawsuits or legal proceedings in any jurisdiction, including but not limited to bankruptcies, dissolutions, and criminal matters to which you have been a party. Provide dates, case numbers, courts, names of other parties, and, if needed, a brief explanation. (If minor children are involved [i.e. an adoption], use initials only.)

1. Cause No. 80C01-8807-DR-166. I was divorced from Sara Owens in 1989.
2. I was a party in Cause No. 30D01-0512-CT-882. Allison Ellison v. Shawn Kearns and Lutheran Social Services v G Douglass Owens and Bryce Owens. We were brought into this case over a contract my partner drafted. It was settled.

3. There is an open case, Morgan & Associates, Ronald Plassman v. Madison County Abstract, Bryce Owens and others. Case No. 48D02-0110-CP-000791. Nothing has happened on this for about 10 years. The plaintiffs contended a contract was broken, we denied it was. There was extensive discovery.
 4. I was a minor heir in my grandmother's estate. Reba Rainey, Cause No. 47C01-0605-ES-52.
 5. I am an interested person in a guardianship over my father, G. Douglass Owens. Cause No. 48C06-1410-GU-000455.
 6. I have owned and own real estate. I have pursued evictions and collections from time to time.
- B. If you ever have been arrested or cited for any violation of the law other than for routine traffic violations, provide dates, jurisdictions, and an explanation of the event and its resolution.
- None.
- C. If you have been disciplined or cautioned, formally or informally, by the Indiana Supreme Court Disciplinary Commission, by the Indiana Commission on Judicial Qualifications, by the Indiana Supreme Court, or by similar entities in any other jurisdiction, identify each instance by date, case number (if applicable), and describe the circumstances and the nature of the outcome or resolution.
- None.
- D. If you have any outstanding federal, state, or local tax obligations, please itemize and explain.
- None

10. References

- A. Provide the names of three attorneys who have been your professional adversaries in your practice or who have litigated substantial cases in your court and who would be in positions to comment on your qualifications for appointment to the Indiana Supreme Court (contact information to be included in Part Two of this application).
1. Steven C. Smith.
 2. Zaki M. Ali
 3. Larry Van Briggie
- B. Provide the names of three professional references other than those listed in Subsection 10A (contact information to be included in Part Two of this application).
1. G. George Pancol, Judge

2. John A. Cremer

3. John Wilson

C. Provide the names of three personal references other than those listed in Subsection 10A or 10B (contact information to be included in Part Two of this application).

1. Jeffery Williams

2. Brenna Monaghan

3. Matthew Conroy

11. State Police Release Form and Photograph

A. Complete a State Police release form printed on green paper (you may obtain the release form by contacting the Nominating Commission Office at 317-232-4706). Include the release form with the original application only and not with the copies.

Attached

B. Attach a recent photograph of you to the front of the original application and to each copy of your application. (This allows the Commission members to put a face with a name if you are interviewed in person.)

Attached.

Date

Applicant Signature

Bryce D Owens

Printed Name